

FORM PTO-1083

Mail Stop: *Amendment*
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



62872
Docket No.: 5005.1016
Date: December 9, 2004

In re application of: Joerg BEWERSDORF et al.
Serial No.: 10/037,538
Filed: 01/04/2002
For: INTERFERENCE MICROSCOPE, AND METHOD FOR OPERATING AN INTERFERENCE MICROSCOPE

Sir:

Transmitted herewith is a **Supplemental Information Disclosure Statement (2 pages) with PTO-1449 (1 page), and cited references** in the above-identified application.

- [] Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
[] Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
[] A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)	PRESENT EXTRA	SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PREVIOUSLY PAID FOR		RATE	FEE		RATE	FEE
TOTAL CLAIMS	* Minus 20	=	0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus 3	=	0	x \$ 43	\$		x \$ 86	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$145	\$		+ \$290	\$
TOTAL: \$				OR		TOTAL: \$		

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- [] Also transmitted herewith are:
[] Petition for extension under 37 C.F.R. 1.136
[] Other:
- [] Check(s) in the amount of \$ is/are attached to cover:
[] Filing fee for additional claims under 37 C.F.R. 1.16
[] Petition fee for extension under 37 C.F.R. 1.136
[] Other:
- [] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Erik R. Swanson, Reg. No. 40,833
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on Dec. 10, 2004.
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:
Oliver Platz



5005.1016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Joerg BEWERSDORF et al.

Serial No.: 10/037,538 Confirmation No.: 7277

Filed: 01/04/2002

**For: INTERFERENCE MICROSCOPE, AND METHOD
FOR OPERATING AN INTERFERENCE
MICROSCOPE**

Examiner: Thong Q. Nguyen

Art Unit: 2872

Customer No.: 23280

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 9, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

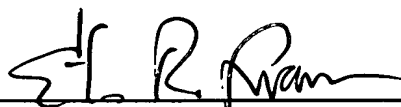
In accordance with the provisions of 37 C.F.R. §1.97, Applicants hereby make of record the documents listed on the accompanying Form PTO-1449 (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due. In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

5005.1016

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully Submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Erik R. Swanson
Reg. No. 40,833

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

5005.1016

APPLICATION NO

10/037,538

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Joerg BEWERSDORF et al.

FILING DATE

01/04/2002

GROUP

7277

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A01	4,302,678	Nov. 24, 1981	Schiffert	250	461 R	
	A02	4,998,284	Mar. 5, 1991	Bacus et al.	382	6	
	A03	5,671,085	Sep. 23, 1997	Gustafsson et al.	359	385	
	A04						
	A05						
	A06						
	A07						
	A08						
	A09						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	A10	2 273 994	Jul. 6, 1994	GB-Great Britain			In English	
	A11	2000-221105	Aug. 11, 2000	JP-Japan			See European Search Report for EP 01 00 0738; Abstract	
	A12							
	A13							
	A14							
	A15							
	A16							
	A17							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

A18	European Search Report for EP 01 00 0738, Sep. 2, 2004, 2 pages
A19	
A20	
A21	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.